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Attorney for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)
)
Plaintiff,)
)
vs.)
)
ALBERT PLANELLS,)
)
Defendant.)
_____)

Case No.: 2:14-cr-00260-JAD-GWF

STIPULATION TO CONTINUE
SENTENCING

IT IS HEREBY STIPULATED AND AGREED by and between defendant, ALBERT PLANELLS, by and through his counsel, CHRIS T. RASMUSSEN, ESQ., and the United States America, by its counsel, ROBERT KNIEFF, that the above-captioned matter currently scheduled for November 14, 2016 at 10:00 a.m. be vacated and continued for at least 30 days or a time convenient to the court.

This Stipulation is entered into for the following reasons:

1. The parties agree to a continuance;
2. Counsel for the Defendant has spoken to the Defendant and the Defendant has no objection to this continuance.
3. The defendant needs additional time to prepare the legal arguments regarding the career offender. Also, there is some confusion as to how the state convictions ended up in two separate cases.
4. Denial of this request could result in a miscarriage of justice.
5. For all the above- stated reasons, the ends of justice would best be served by a continuance of the sentencing date.

1 6. This is the first request for continuance.

2 DATED this 3rd day of November, 2016

3 /s//: Chris T. Rasmussen

/s//: Robert Knieff

4 CHRIS T. RASMUSSEN, ESQ.
5 Attorney for Defendant

ROBERT KNIEFF, ESQ.
Assistant United States Attorney

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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,)	
)	Case No.: 2:14-cr-00260-JAD-GWF
Plaintiff,)	
)	
vs.)	<u>FINDINGS OF FACT AND</u>
)	<u>CONCLUSIONS OF LAW</u>
)	
ALBERT PLANELLS,)	
)	
Defendant.)	

FINDINGS OF FACT

Based on the stipulation of counsel, and good cause appearing, the Court finds that:

1. The parties agree to a continuance;
2. Counsel for the Defendant has spoken to the Defendant and the Defendant has no objection to this continuance;
3. The defendant needs additional time to finish legal briefs regarding crime of violence for career offender purposes. Also, there is an issue with prior state convictions and double counting.

CONCLUSIONS OF LAW

1. Denial of this request would result in a miscarriage of justice.
2. For all the above-stated reason, the ends of justice would best be served by a continuance of the sentencing date at least thirty days.

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1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA
3


4 UNITED STATES OF AMERICA,)
5 Plaintiff,)
6 vs.)
7)
8 ALBERT PLANELLIS,)
9 Defendant.)

Case No.: 2:14-cr-00260-JAD-GWF

ORDER

10 Accordingly, IT IS SO ORDERED that the sentencing currently scheduled for November
11 14, 2016 at the hour of 10:00 a.m., by vacated and continued to January 4, 2017, at the hour
12 of 11:00 a.m.

13 DATED this 4th day of November, 2016.

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16 UNITED STATES DISTRICT JUDGE
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